

To: ADHS Employees
From: ADHS Legislative Affairs
Date: June 21, 2016
Re: 2016 Legislative and Budget Summary

The Second Regular Session of the 52nd Legislature ended May 07, 2016. This memo (a) lists all health related law in which you may have interest and (b) outlines legislation passed into law that specifically impacts the Arizona Department of Health Services (ADHS). The general effective date for the laws passed this session is August 6, 2016 with some exceptions (emergency clause measures¹). The Legislative Affairs Team extends our thanks to everyone throughout the Department for your responsiveness as issues arose before and during the session. We look forward to working together to provide legislators the best possible information to assist in their service. Please feel free to contact ADHS Legislative Affairs at 602/364-0415 with any questions about these bills or other legislative issues.

<u>BILL NUMBER</u>	<u>SHORT TITLE</u>	<u>EFFECTIVE DATE</u>
<u>SB 1056</u>	recycled materials; purchase; agencies; repeal	August, 6, 2016
<u>SB 1096</u>	medical radiologic technology	August, 6, 2016
<u>SB 1104</u>	medical examiner; jurisdiction; death reporting	August, 6, 2016
<u>SB 1105</u>	acupuncture board; licensure; qualifications	July 1, 2016
<u>SB 1112</u>	pharmacists; scope of practice	August, 6, 2016
<u>SB 1137</u>	schools; cpr instruction	August, 6, 2016
<u>SB 1169</u>	mental health power of attorney	August, 6, 2016
<u>SB 1237</u>	governor's office on tribal relations	August, 6, 2016
<u>SB 1238</u>	advisory council; indian health care	August, 6, 2016
<u>SB 1283</u>	controlled substances prescription monitoring program	August, 6, 2016
<u>SB 1300</u>	respiratory care examiners	August, 6, 2016
<u>SB 1324</u> ²	abortion clinics; medication abortions	August, 6, 2016
<u>SB 1327</u>	hospitals; dietitians; prescriptions; diet orders	August, 6, 2016
<u>SB 1388</u>	rulemaking exemption; one-year review	August, 6, 2016
<u>SB 1421</u>	boards; commissions; compensation; expenses	August, 6, 2016
<u>SB 1444</u>	board of nursing; licensure; complaints	August, 6, 2016
<u>SB 1445</u>	health care services; patient education	August, 6, 2016
<u>SB 1474</u>	human fetus; embryo; prohibited actions	August, 6, 2016
<u>SB 1524</u>	regulatory actions; limitation	August, 6, 2016
<u>SB 1527</u>	budget; appropriations; capital outlay; fy2016-17	August, 6, 2016
<u>HB 2013</u>	information technology; transfer; title 18	August, 6, 2016

¹ A statement added to the end of a measure which causes the act to become effective before the accustomed date. An emergency clause is effective immediately, which means that the measure will take effect on the date of its signature into law unless specified otherwise in statutory text.

² SB 1324 was repealed by SB 1112

<u>HB 2061</u>	medical marijuana; pregnancy; signage	August, 6, 2016
<u>HB 2084</u>	voter registration records; death records	August, 6, 2016
<u>HB 2099</u>	developmental disabilities; terminology; settings	August, 6, 2016
<u>HB 2100</u>	state agency reports; electronic submission	August, 6, 2016
<u>HB 2107</u>	structured sober living homes	August, 6, 2016
<u>HB 2225</u>	radiologic technology; out-of-state licensed practitioners	August, 6, 2016
<u>HB 2261</u>	electronic benefit transfers; prohibition; violations	August, 6, 2016
<u>HB 2265</u>	epinephrine auto-injectors	August, 6, 2016
<u>HB 2307</u>	anatomical gifts; procurement organizations; licensure	August, 6, 2016
<u>HB 2310</u>	biological products; prescription orders	August, 6, 2016
<u>HB 2312</u>	advisory council; indian health care	August, 6, 2016
<u>HB 2341</u>	potlucks; regulations exemption	August, 6, 2016
<u>HB 2337</u>	regulation; deficiencies; opportunity to correct	August, 6, 2016
<u>HB 2341</u>	potlucks; regulations exemption	August, 6, 2016
<u>HB 2355</u>	opioid antagonists; prescription; dispensing; administration	August, 6, 2016
<u>HB 2362</u>	nurse licensure compact	August, 6, 2016
<u>HB 2450</u>	expedited rulemaking; outdated rules	August, 6, 2016
<u>HB 2461</u>	lifespan respite care; program termination	August, 6, 2016
<u>HB 2475</u>	funeral establishments; procurement organizations	August, 6, 2016
<u>HB 2485</u>	approp; named claimants	August, 6, 2016
<u>HB 2487</u>	state agencies; preapplication authorization; limitations	August, 6, 2016
<u>HB 2502</u>	medical licensure compact	August, 6, 2016
<u>HB 2503</u>	psychologists; licensure compact	August, 6, 2016
<u>HB 2518</u>	school garden produce; regulatory exemption	August, 6, 2016
<u>HB 2539</u>	sex offender registration; petition; termination	August, 6, 2016
<u>HB 2541</u>	primitive campground; exemption	August, 6, 2016
<u>HB 2613</u>	regulatory boards; licensing; revisions	August, 6, 2016
<u>HB 2640</u>	approps; pediatric neurological autoimmune disorders	August, 6, 2016
<u>HB 2666</u>	governor's economic opportunity office; consolidation	August, 6, 2016
<u>HB 2695</u>	budget; general appropriations act; fy2016-17	August, 6, 2016
<u>HB 2701</u>	budget; brb; criminal justice; fy2016-17	August, 6, 2016
<u>HB 2704</u>	budget; brb; health; fy2106-17	August, 6, 2016

DIVISION OF POLICY AND GOVERNMENTAL AFFAIRS

[SB 1388](#) (rulemaking exemption; one-year review)

For an agency that the Legislature has granted a onetime rulemaking exemption, within one year after a rule has been adopted under an exemption from the Administrative Procedures Act, each agency is required to review the rule to determine whether it should be amended or repealed, summarize its findings in a written report to the Governor's Regulatory Review Council (GRRC) and obtain GRRC approval of the report.

[HB 2450](#) (expedited rulemaking; outdated rules)

The list of circumstances under which an agency is permitted to conduct expedited rulemaking is expanded to include if the rulemaking amends or repeals rules that are outdated, redundant or otherwise no longer necessary for the operation of state government.

DIVISION OF PLANNING & OPERATIONS

[SB 1056](#) (recycled materials; purchase; agencies; repeal)

State agencies that purchase printing on recycled paper are no longer required to require those printed materials to include a printed statement or symbol which indicates that the document is printed on recycled paper.

[HB 2013](#) (information technology; transfer; title 18)

Various statutes relating to government information technology, reporting of information and network security are transferred and renumbered as Title 18 (Information Technology). No substantive changes.

[HB 2100](#) (state agency reports; electronic submission)

State government is authorized to submit all statutorily required reports and budget estimates electronically, and is required to post all statutorily required reports and budget estimates online.

[HB 2666](#) (governor's economic opportunity office; consolidation)

Establishes the Office of Economic Opportunity (OEO). The OEO will prepare the economic, small business and consumer impact statements as part of the rule making process.

DIVISION OF PUBLIC HEALTH SERVICES

[SB 1112 \(pharmacists; scope of practice\)](#)

Makes various changes to ADHS rules relating to abortion procedures.

[SB 1327 \(hospitals; dieticians; prescriptions; diet orders\)](#)

A licensed hospital is permitted to allow a "registered dietitian" or other "qualified nutrition professional" (both defined) to order diets, enteral feeding, nutritional supplementation or parenteral nutrition if authorized by medical staff pursuant to federal law and if the hospital's written policies and procedures allow it and the hospital has written policies and procedures that address the hospital's response to adverse events, if any, that arise as a result of orders issued by a registered dietitian or other qualified nutrition professional.

[SB 1524 \(regulatory actions; limitation\)](#)

Unless authorized by federal, state or local law, state agencies, counties and municipalities are prohibited from taking any action that materially increases the regulatory burdens on a business unless there is a threat to the health, safety and welfare of the public that has not been addressed by legislation or industry regulation within the proposed regulated field, and from applying a regulation to a "qualified marketplace platform" (defined) if the purpose of that regulation is to regulate a business that provides goods or services directly to the customer.

[HB 2061 \(medical marijuana; pregnancy; signage\)](#)

Makes various changes to ADHS rules relating to nonprofit medical marijuana dispensaries along with other provisions.

[HB 2084 \(voter registration records; death records\)](#)

ADHS is required to annually provide to the Secretary of State without charge a record of all deaths of Arizona residents that are reported to ADHS.

[HB 2261 \(electronic benefit transfers; prohibition; violations\)](#)

A person who conducts an electronic benefit transfer card transaction at a liquor store, commercial horse or dog racing facility, casino or gaming establishment, adult oriented entertainment establishment or a medical marijuana dispensary is guilty of a class 1 (highest) misdemeanor.

[HB 2307 \(anatomical gifts; procurement organizations; licensure\)](#)

ADHS is required to promulgate rules for anatomical gift procurement organizations for the purpose of licensing and regulation.

[HB 2337 \(regulation; deficiencies; opportunity to correct\)](#)

All state agencies are required to provide a regulated person with an opportunity to correct given certain circumstances as prescribed.

[HB 2341 \(potlucks; regulations exemption\)](#)

The exemption from ADHS rules for the regulation of food and drink for human consumption that applies to food or drink served at a noncommercial social event, such as a potluck, applies to all such events instead of only those that take place at a workplace.

[HB 2475 \(funeral establishments; procurement organizations\)](#)

Assigns various criminal charges to funeral directors or embalmer or an agent of a funeral director or embalmer when operating as a procurement organization.

[HB 2487 \(state agencies; preapplication authorization; limitations\)](#)

Unless specifically authorized by statute, a state agency is prohibited from requiring preapplication authorization or preapplication conferences as a requirement to filing an application that is otherwise allowed by statute.

[HB 2518 \(school garden produce; regulatory exemption\)](#)

The list of food that must be exempt from specified food-related ADHS rules is expanded to include a whole fruit or vegetable grown in a public school garden that is washed and cut on-site for immediate consumption. Until ADHS adopts this exemption by rule, a whole fruit or vegetable grown in a public school garden that is washed and cut on-site for immediate consumption is exempt from the rules.

[HB 2541 \(primitive campground; exemption\)](#)

Exempts “primitive camp and picnic grounds” (defined) offered by the state or a political subdivision from ADHS rules for sewage, trash disposal and water supply for campgrounds and related facilities. Primitive camp and picnic grounds are subject to approval by a county health department under county sanitary regulations.

ARIZONA STATE HOSPITAL

[SB 1169 \(mental health power of attorney\)](#)

Makes various changes to statutes relating to mental health care power of attorney.

BUDGET

[SB 1527 \(budget; appropriations; capital outlay; fy2016-17\)](#)

[HB 2695 \(budget; general appropriations act; fy2016-17\)](#)

[HB 2701 \(budget; brb; criminal justice; fy2016-17\)](#)

[HB 2704 \(budget; brb; health; fy2106-17\)](#)

[HB 2640 \(approps; pediatric neurological autoimmune disorders\)](#)